

1 The Honorable Edward F. Shea
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4 Attorney for Plaintiffs:
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15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF WASHINGTON
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19 MARIA ISABEL MARTINEZ and JAIME
20 CUIN ESQUIVEL, husband and wife; and
21 LEONEL MARCIAL, Guardian ad Litem for
22 J.C.M., a Minor,
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24 Plaintiffs,
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26 vs.
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28 OKANOGAN-DOUGLAS COUNTY
29 PUBLIC HOSPITAL DISTRICT NO. 1,
30 d/b/a Okanogan Douglas Hospital; and the
31 UNITED STATES OF AMERICA,
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33 Defendants.
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35 Case No. CV-10-087-EFS
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38 STIPULATED, AGREED ORDER OF
39 VOLUNTARY DISMISSAL WITHOUT
40 PREJUDICE
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42 COMES NOW, plaintiffs Maria Isabel Martinez, Jaime Cuin Esquivel, and
43 Leonel Marcial, Guardian ad Litem for J.C.M., a Minor, and presents a
44 Stipulated, Agreed Order of Voluntary Dismissal Without Prejudice to the Court.
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46 This stipulation is brought to cure a potential procedural defect in the
47 timing of the filing of the lawsuit that may threaten subject matter jurisdiction.
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1 Dismissal of the instant lawsuit is sought in order to timely refile and cure said
2 defect.

3 This stipulation was discussed in conversation with Assistant U.S.
4 Attorney Rolf Tangvald on August 4, 2010. Mr. Tangvald agreed with the
5 decision and to stipulate to it. Mr. Tangvald reserves his right to argue other
6 potential procedural issues as they may occur.

7 This stipulation was also discussed with attorney for defendant
8 Okanogan Douglas Hospital, Mr. Jim King. Mr. King also agreed to stipulate to
9 such an order.

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RESPECTFULLY SUBMITTED this 4th day of August, 2010.

Patricia K. Greenstreet
Patricia K. Greenstreet
Chemnick Moen Greenstreet
Attorneys for Plaintiffs

PKG per tele authority 8-4-10
James B. King
Evans, Craven & Lackie, P.S.
Attorney for the Okanogan Douglas
Hospital

Agreed to telephonically, Notice of
Presentation waived.

PKG per tele. authority 8-4-10
Rolf H. Tangvald
Assistant United States Attorney
Attorney for the Federal Defendants

